

REMARKS

Re-examination and allowance of the present application is respectfully requested.

Initially, Applicants note that the Examiner has again inadvertently failed to confirm Applicants' claim of priority, and that a certified copy of the priority document has been received in the parent application (i.e., U.S. Patent Application No. 09/548,744, now U.S. Patent 6,711,620). Applicants respectfully request such confirmation in the next official communication.

Applicants also note that the Examiner again inadvertently failed to indicate the acceptability of the drawings in the application. Applicants assume that the drawings are acceptable, and respectfully requests such confirmation in the next official communication.

Applicants thank the Examiner for meeting with their representatives on December 6, 2005 to discuss the present application, along with their related co-pending applications, and for further discussing the application with the Examiner on the telephone on February 16, 2006.

During the course of the discussions, it was agreed that Applicants would submit a Terminal Disclaimer to over-come the non-statutory obviousness type double patenting rejection. By the current amendment, Applicants submit a Terminal Disclaimer with respect to commonly owned co-pending application number 10/721,416 to over-come the non-statutory obviousness type double patenting rejection.

Further, Applicants have filed Terminal Disclaimers in commonly assigned co-pending application numbers 10/756,268 and 10/756,503 against commonly assigned co-pending application number 10/721,416. Applicants submit that in view of the Terminal Disclaimers filed in application numbers 10/756,405; 10/756,268 and

10/756,503, it is not necessary to file a Terminal Disclaimer in application number 10/721,416. Applicants further submit that by the filings of the various Terminal Disclaimers, Applicants acknowledge that the various applications shall only be enforceable only as long as the legal title to a patent that issues from the various applications are the same. Applicants note that the various applications are divisional applications of parent application 09/548,744 (now U.S. Patent 6,711,620), and hence, the patent term of all the applications are the same.

Applicants are filing the Terminal Disclaimer merely to remove any issue as to whether the claims of the above-identified application and those of parent U.S. Patent 6,711,620 in any way conflict. However, neither Applicants nor the assignee intend to make any representations as to whether the invention defined by the claims of either the application or the patent would have been obvious in view of the other or to acquiesce to the Examiner's decision that the judicially created double patenting rejection set forth by the Examiner is proper.

Applicants note that no other rejection is set forth in the application. Accordingly, Applicants submit that the claims in the present application are allowable, and respectfully request such an indication from the Examiner.

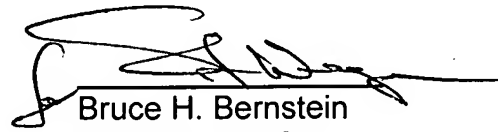
SUMMARY

In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as defined by the pending claims, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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